

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

JOHN MACK SMITH,  
MATTHEW CLYDE CASTEELE,

Plaintiffs,

v.

CIVIL ACTION NO. 3:15-15069

WESTERN VIRGINIA REGIONAL JAIL  
AND CORRECTIONAL FACILITY  
AUTHORITY, et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the complaint be dismissed, without prejudice, and this matter be removed from the docket of the Court. Neither party has filed objections to the Magistrate Judge's findings and recommendations. The Court notes that the Proposed Findings of Fact and Recommendation sent to each Plaintiff were both returned to the Clerk of Court marked undeliverable. Neither Plaintiff provided an updated address.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **DISMISSES** the complaint, **without prejudice**, and **REMOVES** this matter from the docket of the Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: August 26, 2016

  
\_\_\_\_\_  
ROBERT C. CHAMBERS, CHIEF JUDGE